

RENTON CITY COUNCIL  
Regular Meeting

February 4, 2002  
Monday, 7:30 p.m.

Council Chambers  
Renton City Hall

MINUTES

**CALL TO ORDER**

Mayor Jesse Tanner led the Pledge of Allegiance to the flag and called the meeting of the Renton City Council to order.

**ROLL CALL OF  
COUNCILMEMBERS**

TONI NELSON, Council President; RANDY CORMAN; DON PERSSON;  
KING PARKER; TERRI BRIERE; KATHY KEOLKER-WHEELER.

MOVED BY NELSON, SECONDED BY KEOLKER-WHEELER, COUNCIL  
EXCUSE ABSENT COUNCILMAN DAN CLAWSON. CARRIED.

**CITY STAFF IN  
ATTENDANCE**

JESSE TANNER, Mayor; JAY COVINGTON, Chief Administrative Officer;  
ZANETTA FONTES, Assistant City Attorney; BONNIE WALTON, City  
Clerk; GREGG ZIMMERMAN, Planning/Building/Public Works Administrator;  
JIM SHEPHERD, Community Services Administrator; LESLIE BETLACH,  
Parks Director; DIANNE UTECHT, Contract Specialist; SUE CARLSON,  
Economic Development Administrator; ALEX PIETSCH, Economic  
Development Director; DON ERICKSON, Senior Planner; DEREK TODD,  
Assistant to the CAO; COMMANDER KEVIN MILOSEVICH, Police  
Department.

**PUBLIC MEETING**  
Annexation: Warnes, 148th  
Ave SE & SE 116th St

This being the date set and proper notices having been posted and published in  
accordance with local and State laws, Mayor Tanner opened the public meeting  
to consider the 10% Notice of Intent Petition to Annex for the Warnes  
Annexation; approximately 20 acres located west of 148th Ave. SE, north of SE  
116th St. and south of SE 114th St. (if extended).

Don Erickson, Senior Planner, described the proposed annexation area, pointing  
out that it abuts the Urban Growth Boundary and contains 19 parcels and 17  
single-family homes. He noted the presence of an erosion hazard area in the  
middle portion of the subject site. Detailing the public services, Mr. Erickson  
stated that the area is within the Water District 90 service area, within the  
Issaquah School District, within Fire District No. 10 and Renton is the  
designated sewer service provider. He also pointed out the shortfall of improved  
recreational facilities and the substandard condition of SE 116th St.

Reporting that existing King County zoning is R-4, Mr. Erickson indicated that  
Renton's Comprehensive Plan designates this area Residential Rural for which  
potential zoning includes RC (Resource Conservation), R-1 (Residential Single  
Family; one dwelling unit per acre) and R-5 (Residential Single Family; five  
dwelling units per acre). Recommended zoning for this area is R-5, which is the  
closest match to King County's R-4 zone. Mr. Erickson stated that both zones  
would allow approximately 80 to 90 units; however, under King County zoning if  
incentives were applied, 120 units could potentially be allowed. In conclusion,  
Mr. Erickson said that the proposal is consistent with City policies and King  
County Boundary Review Board objectives for annexation.

Responding to Councilman Parker's inquiry, Mr. Erickson confirmed that with  
incentives, King County zoning would allow up to 120 units on the subject site.  
He noted that King County zoning also allows attached multi-family units which  
are not allowed under Renton zoning.

A petition, signed by 13 people asking that they be excluded from the annexation area was entered into the record.

Public comment was invited.

Tom O'Hara, 11441 148th Ave. SE, Renton, 98059, stated that he lives within the boundaries of the proposed annexation area, and that he was the drafter of the petition for those wishing to be excluded from the annexation. Explaining that the petitioners represent 81% of the assessed value of the properties in question, Mr. O'Hara reviewed the assessed value of the parcels owned by those wishing to be excluded. He noted that the total assessed property valuation for all those that oppose the annexation is \$3,059,000 and the total assessed value for all properties is \$3,768,000.

In light of the opposition to the proposed annexation, Mayor Tanner announced that the administration is withdrawing its recommendation that the City accept the 10% Notice of Intent to Annex Petition.

MOVED BY NELSON, SECONDED BY PERSSON, COUNCIL CLOSE THE PUBLIC MEETING.\*

Mark Avakian, 11465 146th Ave. SE, Renton, 98059, stated his opposition to the annexation.

Susan Warnes, 14620 SE 116th St., Renton, 98059, proponent of the annexation, detailed the reasons why it would be beneficial to annex to the City of Renton. Stating that she would prefer to see the area developed with improvements and with fewer dwelling units per acre, Ms. Warnes expressed her desire that the City conduct a meeting to provide citizens with more information.

Councilmembers Corman and Keolker-Wheeler encouraged citizens to educate themselves about the Urban Growth Boundary and the Growth Management Act. Mayor Tanner indicated that if citizens are interested in learning more about these issues, they can contact the City and arrange for a meeting.

\*MOTION CARRIED.

## **ADMINISTRATIVE REPORT**

Chief Administrative Officer Jay Covington reviewed a written administrative report summarizing the City's recent progress towards goals and work programs adopted as part of its business plan for 2002 and beyond. Items noted included:

- \* The Community Center will host its annual winter racquetball tournament on Saturday, February 9th, for players age 16 and up.
- \* Utility customers have the option of paying utility bills by having funds electronically transferred from their checking or savings account. As of this date, 369 customers have signed up for this payment option.
- \* The City of Renton is one of 25 municipalities that participated in the establishment of Regional Road Maintenance Endangered Species Act Best Management Practices and the guidelines have been published in the Federal Register. This represents a Notice of Intent to qualify this program under Limit 10 of the NMFS 4(d) rule and initiated a 30-day federal comment period for the program.

**CONSENT AGENDA**

Council Meeting Minutes of  
January 28, 2002

Appointment: Planning  
Commission

Lease: Communities in  
Schools, City Hall 5th Floor

Plat: Leckie, ROW Dedication  
at Aberdeen Ave NE & NE  
16th St (SHP-01-152)

CAG: 01-093, Benson Rd S  
Pedestrian Improvements, RW  
Scott Const Co

Utility: Springbrook Springs  
Watershed Expansion,  
Gallagher Property Purchase

**Added****CORRESPONDENCE**

Citizen Comment: Eskenazi –  
Tree Replacement Funding

**OLD BUSINESS****Community Services****Committee**

Appointment: Board of Ethics

Appointment: Municipal Arts  
Commission

Items on the consent agenda are adopted by one motion which follows the listing.

Approval of Council meeting minutes of January 28, 2002. Council concur.

Mayor Tanner appointed Cheryl Danza, 717 S. 4th St., Renton, 98055, to the Planning Commission for a three-year period expiring 1/31/2005. Refer to Community Services Committee.

Community Services Department recommended approval of a five-year lease with Communities in Schools of Renton for 375 square feet of space on the 5th floor of Renton City Hall. Revenue generated is \$32,000 over the term of the lease. Refer to Finance Committee.

Development Services Division recommended Council acceptance of a deed of dedication for additional right-of-way to achieve the required 15-foot corner radius for street intersections at the corner of Aberdeen Ave. NE and NE 16th St. to fulfill a requirement of the Leckie Short Plat (SHP-01-152). Council concur.

Transportation Systems Division submitted CAG-01-093, Benson Rd. S. Pedestrian Improvements; and requested approval of the project, authorization for final pay estimate in the amount of \$11,390.50, commencement of a 60-day lien period, and release of retained amount of \$14,245.85 to R.W. Scott Construction Company, Inc., contractor, if all required releases are obtained. Council concur.

Utility Systems Division requested approval to purchase three acres of Gallagher property located next to the City's Springbrook Springs Watershed and to install a security fence in the amount of \$100,000. Approval was also sought to accept the appraised land value of \$50,000. Refer to Utilities Committee.

MOVED BY NELSON, SECONDED BY CORMAN, COUNCIL APPROVE THE CONSENT AGENDA AS PRESENTED. CARRIED.

An electronic letter was read from Penny Eskenazi, 951 Lynnwood Ave. NE, Renton, 98056, requesting that Council take action to provide funding for the timely replacement of trees as they are removed, and suggested that specific pruning restrictions be spelled out and enforced. MOVED BY PERSSON, SECONDED BY KEOLKER-WHEELER, COUNCIL REFER THIS CORRESPONDENCE TO THE COMMUNITY SERVICES COMMITTEE. CARRIED.

Community Services Committee Chair Corman presented a report recommending concurrence in the Mayor's appointment of Pastor Bonnie Chandler-Warren to the Board of Ethics for an unexpired four-year term that expires January 1, 2005. MOVED BY CORMAN, SECONDED BY KEOLKER-WHEELER, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Community Services Committee Chair Corman presented a report recommending concurrence in the Mayor's appointment of Edythe Gandy to the Municipal Arts Commission for an unexpired four-year term that expires December 31, 2003.\*

Councilman Corman introduced Edythe Gandy who expressed her appreciation for being appointed to the Municipal Arts Commission.

\*MOVED BY CORMAN, SECONDED BY PERSSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Human Services: CDBG  
Funding Options, King County  
Contract

Community Services Committee Chair Corman presented a report regarding the Community Development Block Grant (CDBG) entitlement status. Three choices are available to the City of Renton: 1) Become a direct entitlement city. The City will receive CDBG funds directly from the U.S. Department of Housing and Urban Development (HUD) beginning in 2003. 2) Enter into a joint agreement with King County that provides for the City to receive the higher of the entitlement or pass-through amount each year. The agreement will be for 2003-2005. The City will remain part of the King County Consortium. 3) Remain in the Consortium by executing an interlocal agreement for 2003-2005. The current interlocal agreement expires at the end of 2002. The City would receive the pass-through amount.

The Committee recommended that Council authorize staff to enter into a joint agreement with King County for 2003-2005 that provides for the City to receive the higher of the entitlement or pass-through amount each year. MOVED BY CORMAN, SECONDED BY PERSSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

#### **Finance Committee**

Community Services: Park  
Maintenance Manager Hire at  
Step E & Moving Expenses

Finance Committee Chair Parker presented a report recommending concurrence in the staff recommendation to fill the Parks Maintenance Manager position at Step E of the salary range, and the reimbursement of relocation costs up to \$8,000. The relocation costs will be funded from position vacancy salary savings.\*

Councilman Parker stressed that the Committee thoroughly reviewed the matter and indicated that the person selected for the job has excellent qualifications.

\*MOVED BY PARKER, SECONDED BY PERSSON, COUNCIL CONCUR IN THE COMMITTEE REPORT.\*

Councilwoman Keolker-Wheeler reported that 114 people applied for the position and she expressed her concern about choosing someone for whom it is necessary to pay at the top salary step and reimburse moving expenses.

Mayor Tanner stated that the person in question was the most qualified of all those interviewed for the position. Jim Shepherd, Community Services Administrator, emphasized the outstanding qualifications of the person selected and pointed out that he has the needed skills that Community Services personnel do not currently possess.

Councilwoman Keolker-Wheeler stated her concern that if a person is hired at the top step of the salary range, there is no place for that person to progress to in terms of salary. She suggested that if the City continues to hire people at the top of the salary scale, that the salary ranges should be reviewed as well as the position classifications.

Chief Administrative Officer Jay Covington emphasized that personnel is the most important resource that the City possesses and he suggested further discussion of the matter at the Council retreat.

\*MOTION CARRIED.

EDNSP: Hotel/Motel Tax  
Revenue Allocations,

Finance Committee Chair Parker presented a report recommending that the City Council approve the Lodging Tax Advisory Committee recommendation to

Hamilton/Saunderson &  
Chamber of Commerce  
Contracts

allocate \$184,050 of hotel/motel tax collections as follows:

- \$67,500 to the Renton Community Marketing Campaign (year four) program of work; and
- \$116,550 to the Renton Lodging Association.

In addition, the Administration recommended that Council authorize the Mayor and City Clerk to execute contracts with Hamilton/Saunderson Marketing Partnership for year four of the Renton Community Marketing Campaign and The Greater Renton Chamber of Commerce for year three of the Renton Lodging Association's tourism promotional effort.\*

Councilman Parker explained that in 1997, the Legislature allowed the imposition of a 1% tax on the hotel/motel industry. Mr. Parker described the development of the Renton Community Marketing Campaign and how the allocations of the funds are determined.

**\*MOVED BY PARKER, SECONDED BY PERSSON, COUNCIL CONCUR IN THE COMMITTEE REPORT.\***

Councilwoman Keolker-Wheeler clarified that the hotel/motel tax collections total \$184,050 and the City is also contributing \$15,000 from the Economic Development Department's business recruitment fund. Councilman Persson added that representatives from the hotel/motel industry involved with the marketing campaign have indicated that business has increased as a result of the campaign.

**\*CARRIED.**

## **ORDINANCES AND RESOLUTIONS**

### **Added Resolution #3551**

Utility: Opposing Senate Bill  
6366 & House Bill 2340 re  
Eminent Domain Authority for  
Essential Public Facilities

The following added resolution was presented for reading and adoption:

A resolution was read stating opposition to Senate Bill 6366 and House Bill 2340.\*

Gregg Zimmerman, Planning/Building/Public Works Administrator, explained that Senate Bill 6366 and House Bill 2340, known as the eminent domain bills, would prevent the siting of regional essential public facilities in an area if it is not part of the service area of an essential public facility, and if the legislative authority of the city and county in which the land is located do not approve of the location. He said that the intent of these bills are to enable the City of Edmonds to block siting of the Brightwater Treatment Plant at the site known as Edmonds Unocal, one of two sites under consideration by King County for a regional treatment facility.

Continuing, Mr. Zimmerman stated that this legislation contradicts the Growth Management Act (GMA) which provides assurances that essential regional facilities that are difficult to site will be built in an optimal location and local comprehensive plans cannot preclude the siting of these facilities. In addition to compromising the basic foundation of the GMA, the legislation would set a dangerous precedent regarding the ability to site regional essential facilities in the future, and would reverse the collaborative regional work done over the last five years to select an optimal location for a wastewater treatment facility needed to accommodate growth in King and Snohomish Counties.

Mr. Zimmerman recalled concern about King County's need to expand its regional wastewater treatment capability and the ultimate decision to site a third

facility to the north rather than expand the existing facility which would greatly affect the City of Renton. He indicated that if the opportunity to build a site to the north is lost, there is a possibility that the expansion of the current treatment facility would be revisited. In conclusion, Mr. Zimmerman stated that the administration recommends the opposition of the two bills on the grounds that they are contrary to the GMA and would set a dangerous precedent in the siting of essential regional facilities.

**\*MOVED BY PERSSON, SECONDED BY NELSON, COUNCIL APPROVE THE RESOLUTION OPPOSING SENATE BILL 6366 AND HOUSE BILL 2340.\***

Councilwoman Keolker-Wheeler stated her opposition to the resolution, saying that she would like the matter to be studied further. She expressed concern that this action indicates that a city does not have any authority through its comprehensive plan in the event another jurisdiction wants to site a facility within its boundaries. Ms. Keolker-Wheeler stressed that cities should have control over their own land use.

Councilman Corman stated that the issue is the use of eminent domain: a mechanism that public entities can use to acquire private property for official purposes at fair market value. Regarding the ultimate use of property, Mr. Corman said that there are State, County and local regulations in place that allow or disallow what can be done with property.

Pointing out that this legislation will have a dramatic effect on the entire region, Councilman Parker indicated that there must be other avenues within the governmental process that can be utilized instead of adopting legislation that favors one community.

Chief Administrative Officer Jay Covington noted that the City has two essential facilities located outside the City limits, and since the legislation is retroactive, he expressed concern regarding its impact on the existing structures as well as on any future facilities the City may need to place.

**\*MOTION CARRIED.**

The following ordinances were presented for second and final reading and adoption:

Development Services: Binding  
Site Plan Process

An ordinance was read amending Section 4-1-050 of Chapter 1, Administration and Enforcement, Section 4-7-040 of Chapter 7, Subdivision Regulations, Section 4-8-120 of Chapter 8, Permits and Decisions, Section 4-9-200 of Chapter 9, Procedures and Review Criteria, and Section 4-11-020 of Chapter 11, Definitions, and adding a new Section, 4-7-230, to Chapter 7, Subdivision Regulations, of Title IV (Development Regulations) of City Code relating to the establishment of a binding site plan ordinance for the City of Renton. **MOVED BY KEOLKER-WHEELER, SECONDED BY CORMAN, COUNCIL HOLD THIS ORDINANCE FOR ANOTHER WEEK FOR FURTHER REVIEW. CARRIED.**

**Ordinance #4953**

An ordinance was read amending Section 5-1-2 of Chapter 1, Fee Schedule, of

Finance: Audio & Video Tape  
Fee Inclusion, Fee Schedule

Title V (Business Regulations) of City Code by adding a new Section "D" to list the charge for copying audio or video tapes. MOVED BY CORMAN, SECONDED BY NELSON, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.

**NEW BUSINESS**

Appeal: DeBar Preliminary  
Plat, Brad Nicholson (PP-01-  
058)

Reporting the receipt of a letter from appellant Brad Nicholson regarding the DeBar Preliminary Plat appeal, Councilwoman Keolker-Wheeler confirmed City Attorney approval to enter it into the record for Planning and Development Committee consideration.

Legislature: Survey re  
Supplemental Budget Proposed  
by Governor

Councilwoman Keolker-Wheeler reported the receipt of a survey from Representative Clyde Ballard regarding the proposed supplemental budget proposed by the Governor. She suggested that instead of responding individually to the survey, that Councilmembers and the Mayor submit one combined response.

Mayor Tanner reported that he has already responded to the survey and a copy was forwarded to Councilmembers. Council President Nelson stated that she would coordinate the Council response to the survey.

**ADJOURNMENT**

MOVED BY NELSON, SECONDED BY CORMAN, COUNCIL ADJOURN. CARRIED. Time: 8:59 p.m.



BONNIE I. WALTON, City Clerk

Recorder: Michele Neumann  
February 4, 2002